



Advocating better skills, jobs, and incomes

TESTIMONY IN SUPPORT OF SENATE BILL 456:

Healthy Working Families Act - Railroad Employees - Unpaid Leave

TO: Melony Griffith, Chair, and Members of the Senate Finance Committee

FROM: Ioana Stoica, Policy Advocate

DATE: March 1, 2023

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that advocates for better jobs, skills training, and wages for low-income workers and job seekers in Maryland. **JOTF strongly supports Senate Bill 546 as a means of ensuring that the Maryland Healthy Working Families Act continues to provide earned sick leave to all working Marylanders across the state, including to all workers in the transportation sector.**

There are approximately 1,500 railroad employees in Maryland operating over 750 miles of track. According to the Federal Railroad Administration, there were over 9,770 freight related accidents in 2022, with an increasing number of fatalities. In 2019, there were 853 rail accident fatalities; three years later, deaths had increased by 14.7%, at 978. Increasingly, the working conditions railroad workers labor under have been under national scrutiny - from rail strikes threatening to significantly hamper commerce in December of 2022, to the recent derailment in East Palestine, Ohio, which is still under investigation.

These statistics reflect stories that workers themselves have been sharing for years. A [recent feature](#) of the plight of 28 rail workers paints a bleak picture of the scarce benefits these workers receive, and the negative impact on all aspects of their lives - including not being able to spend time with their families, not being able to seek routine medical care for chronic conditions, not getting enough sleep, as well as providing a portrait of deteriorating mental health. In the words of one worker who eventually left his position, "That job changed me. I didn't feel as if I was even a person anymore. I'd lost my hobbies, my friends, and my fiancée. More importantly I'd lost any reason to live."

Due to recent court ruling, in states like Maryland or Washington that offer paid sick leave through laws such as the Maryland Healthy Families Act, railroad workers are at the moment some of the only laborers exempt from this benefit. Rail companies are claiming that these policies are needed to maintain functional staffing; however, current industry labor shortages are due in large part to a switch in recent years to precision scheduled railroading. This system has effectively cut costs and labor needs, increased rail company profits, and left current employees to shoulder the costs. There is nothing inherent in the rail industry that makes sick leave policies untenable; in fact, European examples abound that show that offering sick leave while having a functional and timely freight transport system is possible.

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No one should have to choose between their health and their job, yet an absence or delay of earned sick leave makes this choice ever-present for working families. Most importantly though, the absence or delay of earned sick leave means the increasing pressure and fear of losing income, which for a working family can ultimately mean the loss of stability on a variety of levels: family, economic, health, and more.

Railroad workers perform the critical tasks of keeping our families clothed and fed, keeping local businesses supplied, and keeping the wheels of our state economy turning. These workers deserve the same benefits as those in other industries. And while JOTF would prefer that they be offered *paid* sick days, we fully support Senate Bill 456 as a stopgap measure, to ensure that in the very least, the right of rail workers to take unpaid sick leave is protected under the Healthy Working Families Act.

For these reasons, we respectfully urge a favorable report on Senate Bill 456.

For more information, contact:

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